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**QUALITY NEW DEVELOPMENT IN ENGLISH MARKET TOWNS – CASE
STUDIES EXAMINING THE ROLE OF TOWN PLANNING**

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ABSTRACT

The role of town planning (development control in particular) in urban design issues relating to new development is poorly understood and undervalued. The aim of this study was to investigate to what extent the planning process made a difference to outcomes, and what factors relating process and use of policy were more likely to lead to positive outcomes.

Views of key players in the statutory planning decision-making process, in 4 case study towns, were obtained through semi-structured interviews. The case study towns include Ludlow, Dorchester, Chichester and Durham. An example of a “successful” and an “unsuccessful” major new development were examined for each town.

The findings indicate that planning can play a significant role in securing a successful outcome but organisational and political issues, as well as varying skill levels, can hinder the role and give rise to negative perceptions. It is clear that many factors have to work together to help ensure good outcomes, and there is no quick fix.

Opportunities for improvement in the design input by planning, including Local Development Frameworks, are considered.

KEYWORDS or PHRASES

Urban Design

Buildings in Context

Planning and Design

Planning Outcomes

Use of design guidance

QUALITY NEW DEVELOPMENT IN ENGLISH MARKET TOWNS – CASE STUDIES EXAMINING THE ROLE OF TOWN PLANNING

INTRODUCTION

There are many views on whether the statutory planning system adds value or contributes positively to the design quality of new building, especially new building in conservation areas. Most, however, agree that there is a role for planning in design decisions. Many are critical of the role but some including the Council for Protection of Rural England (CPRE, 2004), for example, have sought to demonstrate that “good planning” has been key to developing local distinctiveness in market towns. CPRE carried out a survey of 120 market towns and many appeared to be using design policy effectively with a long-term view being adopted.

Planning involves several key roles in the decision making process on development proposals: the planning case officer and/or the conservation officer and/or the urban design officer, the local councillors on the planning committee and consultees such as English Heritage (EH). It is this front line development control process which is examined in this study.

In recent years there has been more encouragement from government for planning intervention in design. Despite this the government message is not always convincing and is not always backed up at appeals. The debate about the degree to which state intervention in design is desirable continues and this reflects conflicting values in policy making. For example most local planning authorities promote equality of opportunity (to experience good quality design) and support intervention in private sector design proposals if necessary, whereas respect for the freedom of the architecture profession and limited government intervention is evident in some central government documents. Also there is a potential conflict between design policy and other areas of planning policy as well as conflict between proper consultation and negotiation in implementing policy at local level and the government imperative of speed.

Social policy theorists (Drake, 2001), (Bobrow and Dryzek, 1987) discuss the problem of conflicting values in policy making and the difficulty of moving beyond a limited and piecemeal approach.

Complex issues with related policy that is diffuse or unclear, such as design, are often devoid of feedback on policy implementation as measurement is difficult, and this in turn makes further development of policy problematic.

The positive role that the planning system can play in creating good quality new development, especially in historic areas, is not widely appreciated. EH and the Commission for Architecture and the Built Environment (CABE) appear to applaud and explain the role of the architect above others in development decisions as is evident in their joint publication “Building in Context, New Development in Historic Areas” (2002). Consequently the purpose of this study is to examine the nature of the planning role and what leads to positive outcomes in some cases and not in others.

Historic areas (most of which have conservation area status) represent the most sensitive contexts for urban design issues and are arguably the hardest in which to deliver positive good quality outcomes. For that reason this study focuses on historic market towns as a reasonably comparable set of circumstances where some difficult and sensitive issues arise.

The best value process, overseen by the Best Value Inspectorate (as well as the comprehensive performance assessment process, overseen by the Audit Commission) underway in local government, provides a timely context for examining areas of planning activity that are difficult to measure or evaluate.

LITERATURE OVERVIEW

This brief and selective literature review includes reference to recent policy and practice initiatives in planning and design and provides some context for the case studies.

EH/CABE (2002) discuss examples of good new building in historic contexts, stressing primarily the role of the architect. This guide has provided the main impetus for this study on the role of planning, mainly because this role is not given sufficient attention and because some of the examples selected (without any apparent methodology for selection) could appear incongruous contextually as well as perhaps impacting adversely on neighbouring property. Furthermore EH/CABE do not expand on how the process of producing new building in historic contexts could be improved upon in the future in this good examples guide, although CABE (2001) did carry out a survey of all local planning authorities in England with the stated aim of discovering what kind of advice in the field of design quality is available to planning authorities and in what ways more advice could be usefully provided. The emphasis of the study was more on the process of using guidance rather than the nature of guidance itself. The summary of the findings of this CABE survey did not, however, indicate that any detailed or new recommendations could be made. Rather the findings appear to confirm some general points that are reasonably well known.

CABE (2001) FINDINGS

Need to increase the number of people with design skills in local authorities
Need to increase the depth of skills of existing staff
Need to increase the input professionally qualified staff have on design matters
Design panels are valued and there is much demand for them where they do not already exist
Design champions are important although it is important to choose the right person
There is a perceived danger in off loading responsibility for good design
Design aspects of planning applications are usually dealt with by negotiation
Relatively few schemes are refused solely on design grounds

These CABE (2001) findings corroborate some of the findings from work by Punter, J and Bell, A (1999) and Carmona, M (1998) on design control and appeals.

Another CABE (2003) publication on protecting design quality in planning covers the ways in which planning does and could better contribute to quality of outcome and recommends that Local Planning Authorities carry out annual outcome reviews on a sample of implemented schemes. Outcome reviews could then feed into improved policy and practice as well as providing a useful means of communicating the role of planning to the public and related professionals.

Carmona, (in Greed and Roberts, 1998) notes that surveys of local authorities have been carried out on the perceived usefulness of design guidance, and it has been found that production of design guidance was the most successful type of initiative in improving quality of design. It has also been found that 75% of local authorities thought guidance had a “significant” effect in improving the operation of development control, and 54% thought guidance had a significant effect when dealing with appeals. The lower percentage relating to appeals indicates that central government support can be weak at appeal, reflecting varying values between local and central government.

Since the early 1990’s there has been considerable expansion of advice on design, therefore it might be expected that local authorities would feel more positive about design guidance and may be more discerning on the usefulness of various types of guidance. Equally they may be more confused given the ill-defined status of much design guidance. This study investigates such issues further.

Design policy choice by government over the last 25 years has been charted by Carmona (2003) and indicates shifts in a positive direction in recent times. Carmona follows the evolution of design policy from the 1970’s with the Essex Design Guide (1973), and design bulletin 32 (1977), through the 1980’s and the conservative philosophy of minimum interference in design by government epitomised by Circular 22/80. John Gummer’s “Quality in Town and Country” (1994) marked a new positive direction with the way opened for a more comprehensive and sophisticated treatment of urban design to come. The Prince of Wales public comments on building design during the 1980’s as well as PPG1 (1992) annex on design may have influenced Gummer. The Urban White Paper (2000) emphasised that

quality of design outcome is key to urban renaissance in a wider social and economic sense, so expanding on Gummer's agenda.

The notion that design has economic and social value has become a major theme for CABI's research since 1999. CABI's work appears to be helping to convince sceptics that good design is critically linked with economic success and regeneration.

Carmona (2003) notes that the Planning and Compulsory Purchase Bill (now Act 2004) presents a major opportunity for positive and proactive policy and guidance on urban design, a point noted by several respondents in the case studies. The recent Planning Policy Statement 1 (PPS1) (2004) appears to be a missed opportunity however. It dilutes much of the design guidance in PPG1, which it replaces, and generally contains weaker wording as the Urban Design Group (2004) point out. This in turn may weaken the planning authority's case when negotiating on design.

Another topical issue is the use of design codes as a way forward in good practice. Carmona (2004) has set out the development and use of design codes in the UK and together with CABI (2003) is exploring the potential for greater use of design coding as a speedier and more effective way of furthering good urban design outcomes. Design codes vary in content but all basically prescribe building types, elements to be included in buildings and overall layout. The use of codes may change the way in which key planning decision makers will operate in future and may mean the public and political input is reduced.

Punter (1999) indicates where design codes might lie in terms of level of detail in a hierarchy of guidance. He places codes below area strategies and master plans but above design briefs and streetscape manuals. As Murrain (2002) explains the master plan is the vision and the code gives instructions for implementation. Although some are concerned about the constraints of codes Murrain (2004) suggests architects would, paradoxically, be forced to be more imaginative in working with codes. The code writer is not the building designer in most instances; indeed if the roles were not performed separately the democratic deficit fear would have more sway. However it remains unclear exactly what the planning role in developing codes would be if they were used as a matter of common

practice. The government announced in May 2003 that 6 pilot studies on the use of urban coding would be carried out to test whether wider applicability would be beneficial. Results from this are likely to be available in 2005/6.

Another proposal that appears to have potential for improving design quality in market towns is the Countryside Agency's (CA), (2003) Town Design Statement initiative. Town Design Statements would be produced by local people but in accord with the local plan so that the finished product could be adopted as supplementary planning guidance by the local authority. This has developed from the successful Village Design Statements (VDS) that began in 1993. VDS differ from character appraisals, as originally conceived by EH and carried out by professionals as well as other initiatives such as "placecheck", developed by CABI, 2000 and carried out by interested local groups. Indeed the Countryside Agency (2004) reporting on the (largely positive) impact of VDS does warn that there may be some confusion with the character appraisal process and also that they do not usually help to promote good modern design. Overall, however, any initiative that increases public awareness of urban design issues and can help in negotiation, securing funding and substantiating decisions must be beneficial. Furthermore those involved in Town Design Statements are now in a position to learn from the experience of VDS and address the more obvious problems as well as build on the successful elements.

THE RESEARCH APPROACH and SELECTION OF CASE STUDIES

Having reviewed some relevant literature primary data collection was undertaken using postal questionnaires and interviews, followed by analysis of the planning input to examples of “successful” and “unsuccessful” developments in market towns.

Postal questionnaires were sent to all local civic societies (61 questionnaires sent with 27 returned) in English Historic Towns Forum (EHTF) market towns to identify “successful” and “unsuccessful” examples of recent developments in their own town, using DETR/CABE criteria to assist respondents and to provide a common language to ease analysis.

Civic societies were chosen as informed but lay people, not directly involved in decision making so arguably better able to assess outcomes without undue bias, but with sufficient knowledge of the subject area to be familiar with relevant urban design terminology and the planning process. A random street survey would have resulted in superficial data only and other non-experts removed from decision making with sufficient knowledge of the subject are generally not identifiable as a group so harder to access. Civic societies represent a significant section of public opinion, albeit from a largely conservationist position which could be regarded as a limitation, although they vary in nature.

DETR/CABE (2000) CRITERIA (the key elements)

Local distinctiveness
Sense of community and enclosure (both public and private space defined)
Quality public realm, usable by all
Good access or permeability, especially for pedestrians
Helps with legibility – ease of navigation
Easily adaptable – robustness
Diversity – has a mix of uses or contributes to mix

Other more detailed DETR/CABE criteria were used too. These relate largely to matters of scale, proportion, style and finish, and the frequency of mention of these by respondents is referred to later.

The DETR/CABE (2000) criteria are set out in “By Design” and appear to represent the most up to date and detailed central government advice on the subject. The criteria draw on a wide range of literature produced over several decades, for example, “legibility” from Lynch (1960), “permeability” and “robustness” from Bentley et al (1985). This helps to provide a common language that is important for communication and negotiation. More limited criteria could have been used in this study for ease of data collection and analysis but the depth and richness of the investigation would have been curtailed and the DETR/CABE criteria were considered appropriate to the level of understanding likely to be prevalent in civic societies. Alternatively the study could have been carried out with no given criteria to give the respondents maximum freedom of expression, but this would have resulted in significant analysis problems.

Both “successful” and “unsuccessful” examples were sought from civic societies, as this was more likely to reduce bias and increase the range of issues emerging. The judgements made by civic societies are not challenged in this paper as this would detract from its focus, but the above limitations must be borne in mind especially the fact that civic societies are not experts and the definition of success cannot be precise.

From the examples given by the civic societies a total of eight case studies in four towns were examined in depth using semi structured interviews with a total of 32 key players involved in decision-making. The case studies were selected on the basis of geographical spread, provision of both a good and bad example in one town, range of types of development and style (broadly modern/traditional) and location in, or immediately adjacent to, a conservation area. Fullness of response as an indication of public profile and potential for further investigation was also considered relevant. This approach was considered more rigorous than simple random selection or selection by a few experts.

As the data yielded is largely qualitative, the analysis was carried out manually rather than by computer package. The data was not intended to give rise to questions of statistical significance but rather an illustrated narrative commentary.

The case study towns selected were Ludlow, Dorchester, Chichester and Durham. All have a population between 15,000-30,000 and all have their own local distinctiveness. All have a mix of medieval, Georgian and Victorian buildings as the predominant building types and all have some modern building integrated into the historic area. The historic core of each town is designated a Conservation Area and each case study is in or immediately adjacent to the Conservation Area. Local party political control varies.

One successful and one unsuccessful case (as perceived by civic societies) for each selected town were then examined in more detail. The cases included a library/museum scheme and a residential scheme in Ludlow, a residential scheme and a mixed-use scheme in Dorchester, a gallery and an office scheme in Chichester and a library/theatre scheme and a shopping centre in Durham.

THE “SUCCESSFUL” SCHEMES

Ludlow – Castle St, residential (centre of Conservation Area)



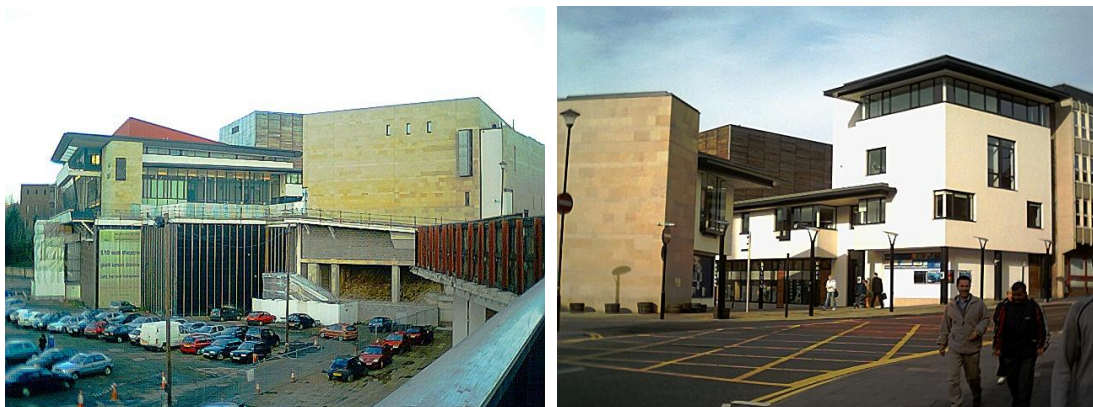
Dorchester – Somerleigh Rd, mixed use (centre of Conservation Area)



Chichester – East Pallant House Extension, offices (centre of Conservation Area)

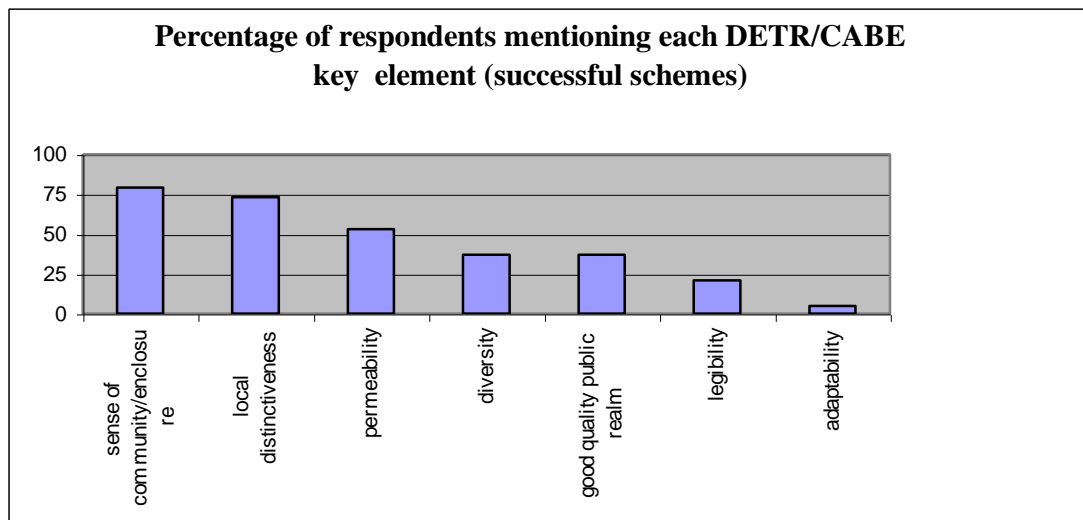


Durham – Millennium Development, library/theatre (in Conservation Area)



Of the DETR/CABE key element criteria the most frequently mentioned by civic societies in relation to the successful schemes was sense of community/enclosure (79%) followed by local distinctiveness (73%) and then good access or permeability (53%). The remainder of the criteria given were mentioned

much less frequently ranging from diversity and good quality public realm at 37%, legibility at 21% and adaptability at 5%.



Other, more detailed, DETR/CABE criteria were provided for respondents too and were mentioned as follows: for successful schemes 63% thought scale in keeping was important followed by window/wall ratio/ window proportions/type in keeping at 58%. Next came traditional style at 53%. The percentages mentioning the remainder of the criteria are as follows: sympathetic finishes (47%), well used (47%), historic building lines followed (47%), contemporary style (42%), modern materials (26%), references to locally distinctive features (21%) and facadism (21%).

The Ludlow Castle St scheme is certainly locally distinctive and plays its part in enclosing the traditional Georgian square it forms a part of. The Dorchester Somerleigh Rd scheme picks up on various aspects of local vernacular in Dorset and creates new enclosed spaces between buildings with clear access through the scheme. The Chichester offices follow the existing curved street pattern well and a new public square is created with clear attention to detail. The Durham Millennium development is clearly modern but relates well to the world heritage site adjacent utilising aspects of the Durham idiom and creating a new public square.

THE “UNSUCCESSFUL” SCHEMES

Ludlow – Library/Museum Resources Building (adjacent to Conservation Area)



Dorchester – Calliford Rd N, residential (suburban part of Conservation Area)



Chichester – Pallant House Gallery Extension (centre of Conservation Area)



Durham – Prince Bishop Shopping Centre (centre of Conservation Area)



For the schemes perceived as unsuccessful 42% mentioned no local distinctiveness and poor quality public realm as key elements. 32% mentioned each of the following: no sense of community/enclosure, poor permeability, poor legibility, little diversity and 21% mentioned poor adaptability.

On the more detailed criteria 47% mentioned scale not in keeping, 37% style not traditional, 26% no references to locally distinctive features, 26% historic building lines not followed, 21% finishes and window proportions not sympathetic, 16% style not contemporary and 5% materials not modern. Other items mentioned included tree loss and density too great.

The Ludlow library/museum is a modern building with poor quality public space around it; the Dorchester Calliford Rd scheme is squeezed into the grounds of a Listed arts and crafts building, arguably with insufficient respect for the Listed building and without sufficient space between it and the new scheme; the Chichester gallery scheme is a modern building in a Georgian terrace and despite much negotiation with some improvements was criticised for lack of local distinctiveness and being out of keeping in principle; the Durham shopping centre was criticised for its austerity and scale and being dominated by a car park, despite incorporation of traditional streets within and attention to materials.

The relative importance of the various criteria mentioned (as judged from frequency of mention) appears to indicate greater certainty about applying the criteria to successful as compared to unsuccessful schemes with over 50% mentioning several of each given criteria on the successful schemes but much lower percentages on each criteria for the unsuccessful schemes. The reason for this is unclear, but local distinctiveness and quality public realm seem to feature most strongly as selection criteria overall.

The final question put to Civic Societies attempted to gauge how aware the Societies were of the part played by planning in the decision making process.

The response to this question can be divided very broadly between those who had a positive perception (26%), those who had a negative perception of the planning process (though not necessarily of planners themselves) (37%) and those who were not aware or did not respond to this question (37%). As civic society members are generally well-informed lay people who frequently comment on planning applications it should be of concern that only 26% provided positive comments about the role of planning.

The range of *positive* comments was as follows:

- Planners instrumental in Conservation Area designations that saved many buildings from demolition
- Use of s 106 agreements to resolve difficulties
- Organised competition for successful scheme and achieved a lottery grant
- Produced a planning brief
- First submission rejected by planners as design not good enough
- Objections to original design led to amendments
- Negotiations to avoid hazard to school children

The range of *negative* comments was as follows:

- Planners want to squeeze more residential in regardless of suitability
- EH/CABE views clashed with Chief Planner and members overturned the recommendation
- A convoluted process

- Project “cooked up behind closed doors without significant input from any external body”
- This society (Civic Society) urged planners to produce a brief without success
- Developers pull the wool over planners
- Building agreed on Council owned land despite objections
- Lack of design staff

Care must be taken, however, not to over interpret this information – all it can provide is a rough impression and, of course, perceptions may differ from reality. It appears, at least, that planning authorities have considerable scope for improving communication with the public, including what it is they actually do as well as being convincing that what they do is positive.

THE CASE STUDY INTERVIEWS

Semi structured interviews were carried out with 32 key players in the decision making process in the 8 cases identified by civic societies. The roles of key players were not always identical for each case but they included the development control case officer, the conservation officer, the head of planning, the English Heritage advisor, the chair of the planning committee, the urban design officer and the economic development officer. A limitation of the study is the difficulty of comparing like with like as each local authority operates differently with staff having varying roles and responsibilities.

The interview questions covered the following:

- Whether the respondent agrees that the example is good or bad
- Which of the DETR/CABE criteria the scheme appears to conform to
- What difference in terms of significance and in terms of specific contribution did the planning process make
- What advice was given at the pre application stage
- What design guidance was used
- What amendments were made at the request of planners
- Which third parties appeared to influence the decision
- Were there design conditions and/or section 106 agreement on design
- Who influenced the planning process most

- Overall did the planning process help improve the scheme compared with the initial submission
- How can existing design guidance be made more user friendly and better organised/prioritised
- What new guidance or processes and/or training is needed for those involved in this decision making
- Views on the idea of “urban coding” to assist in decision making

MAIN FINDINGS FROM THE CASE STUDIES

The key findings include:

- Most thought that both the “successful” and “unsuccessful” examples were largely successful, although the “unsuccessful” ones (as perceived by civic societies) less so. It is evident, therefore, that there was some correlation between civic societies and the case study respondents on the relative success of each scheme although not a direct correlation. This may be due to the case study respondents having been closely involved with the decision and/or an ability to see the wider perspective especially the commercial versus conservation interests. Schemes perceived as most successful had a greater conformity with the DETR/CABE criteria. This helps to validate the use of these criteria.
- Almost all thought the role of planning was very significant with a range of specific inputs mentioned including negotiation, production of development brief, initiating an architectural competition, securing appropriate amendments to initial submissions, initiating the compulsory purchase order (CPO) procedure and attaching appropriate conditions or section 106 agreements to the permission (section 106 used less frequently on design issues)
- There was usually extensive pre-application advice, contrary to widespread developer perception that LPA’s are unwilling to do this. This is considered to be good practice and helpful to all concerned.

- The design guidance most frequently used is planning policy guidance (PPG) 15 and the unitary development plan (UDP) (see table relating to frequency of use of different types of guidance). It is interesting to note that there appears to be greater use of supplementary design guidance (SPG) and PPG's in the successful schemes compared to the least successful, especially SPG/Brief, EH guidance and PPG 1. This tends to indicate that more guidance of a detailed nature is helpful in achieving a good result. This corroborates findings by Punter, Carmona and CABE that use of supplementary design guidance is beneficial and adds value.

Some respondents, especially Councillors, did not know which guidance had been used. In general Councillors appeared least familiar of all respondents on the role of planning and how it influenced the decision. This is perhaps surprising, and of some concern, given that Councillors would have had the final planning decision to make on all the cases examined. But on the other hand this is not so surprising given the limited relevant training most councillors have.

SUCCESSFUL SCHEMES						
Type of guidance used	PPG 15	UDP	EH	SPG/Brief	PPG1	CABE RFAC
Frequency of use: No of mentions	11	8	8	6	4	4

LEAST SUCCESSFUL SCHEMES							
Type of guidance used	PPG 15	UD P	EH	CABE RFAC	PPG 3	SPG/ Brief	PPG 1
Frequency of use: No of mentions	9	9	4	3	2	1	1

- There was no clear pattern on which player was most influential. EH was clearly very influential in the Chichester gallery case and the economic development officer was strong in the Durham shopping centre scheme. The economic imperative to include a large car park in the Durham case was the most controversial issue and this compromised negotiation at the planning application stage, although traditional streets within the new scheme linking into the historic streetscape were achieved against the developer wish to having an internal mall. The EH officer involved in the Durham shopping centre scheme said he felt manipulated in the process and the conservation officer was clearly sidelined. Third party influence was significant in some cases (especially civic society input in Ludlow and business groups in Durham). Personalities can play a part in this as can political priorities and negotiating power. Negotiating power is often dependent on the degree of development pressure and this is generally higher in the south so tending to allow for more negotiation.
- Various suggestions were made on how to improve design guidance/ training and the decision making process. These include the following in order of frequency of mention with the first three being mentioned between 6 to 9 times each and the remainder just once to three times each:

SUGGESTIONS FOR IMPROVEMENT ON DESIGN GUIDANCE	No of times mentioned
More/better training	9
More character appraisals	7
Design champion/specialist design advisor	6
More briefs or local guides	3
More support from the inspectorate	2
Share good practice	2
Need overall design framework	2
ODPM should take stronger lead	2
More freedom/proactivity for planners	2
Each LA should have an LDD on design	1
More focus on detail	1

So in line with existing literature, especially by CABE, training and specialist advice appears to be the highest priority, although there is a good spread of other ideas with character appraisals being especially highly rated.

- On the decision making process and organisational issues the following points emerged as lessons from the “successful” schemes:

Simplification and clarification of roles (eg case officer and conservation officer being the same person in Ludlow, Castle St scheme) as well as design roles being placed high in the hierarchy appears important for good design outcomes.

The development team approach within the LPA (as for the Dorchester Somerleigh Rd scheme) helps key players work well together. This team approach was strengthened by the ongoing common design training programme for staff and councillors established with Oxford Brookes University.

Lessons from the “unsuccessful” schemes include:

The undue influence of the grant funding position can compromise negotiation and the final decision. For example Councillors said that, in addition to EH support, the availability of Heritage Lottery Funding made a difference to their decision to grant the Chichester gallery scheme contrary to the planning officer recommendation for refusal. The gallery scheme was a very modern statement in a classic Georgian terrace and 900 letters of objection from the public were received which would usually make Councillors very cautious. In the Ludlow library/museum case a Heritage Lottery Fund grant was also available and stipulated that the library and museum must be in one building so scale was difficult to resolve. Further compromise on this scheme occurred because it was the County Council's own development and this role tended to dominate the planning authority role. The separation of the Council's role as landlord and as planning authority is important to impartial decision making and ensuring a full planning input.

Other organisational problems were evident in the Durham shopping centre scheme as mentioned above.

- Views on urban coding, recently promoted by government as a way to improve design guidance and process, appear cautious. Even where coding has been experienced first hand, as in Dorchester where the well known coded Poundbury scheme is being developed, the LPA are not convinced. This is partly due concern about lack of democracy in the process (little scope to consult and negotiate after the planning application is submitted) and the possibility of too much rigidity.

CONCLUSIONS

The findings from the case studies support the positive influence of the planning role in securing a successful outcome despite some of the negative perceptions by civic societies. This influence ranges from proactive production of planning briefs or other guidance, to negotiation to improve an inadequate submitted scheme to use of conditions to ensure scale or finish, for example, are appropriate.

The findings support some of the key academic literature such as that on use of design guidance, and particularly the importance of supplementary planning guidance, in securing a successful solution. The case study data indicates character appraisals (a form of SPG) as being especially important and this type of approach does seem to be increasingly supported in the literature from EH, Countryside Agency and CABE. A planning brief (another form of SPG) for a site appears to have significant benefits too.

The DETR/CABE criteria, used to help define success and provide a common language, proved useful and were generally understood by respondents. It was shown that schemes perceived as most successful had a greater conformity with the criteria. This supports the value of the criteria in this guidance, although its actual use by respondents, in practice, appeared low compared to other forms of guidance.

An area not covered well by existing literature, but evident from an overview of the case studies, is the way in which organisational structure influences the negotiation process and ultimately the end result. Where roles are unclear or where key case officer or design staff are marginalised design training (which this study and others show is important) will not necessarily make a significant difference. Marginalisation of design staff or design as an issue is more likely where high level support for the importance of good design is lacking or is seen as relatively less important compared to other issues.

The importance of high-level support for design and quality of outcome is clear. This was apparent in Dorchester through support for design training of many staff (not just a design officer), facilitated by an established relationship with Oxford Brookes University, as well as the achievement of a Beacon

Award for quality in the built environment. Another recent example of high level support for good design, and similar Beacon Award status, reported by Dark, J (June 2004) on RUDI website was Chelmsford. Dark notes a welcome but surprising statement from Chelmsford Borough Council's chief executive "Setting the very highest quality in the built environment and the way we manage and work with developers is the single most important thing we do and long after the latest changes in education or council tax are forgotten, people will still be living in the built environment we create".

In some authorities one person has the case officer and conservation officer role and this can be helpful in terms of commitment to the case and ease of communication. The role of EH seems to vary depending, at least partly, on personalities involved and the extent to which EH consider the local authority in question to be competent. In some cases EH might negotiate alone with the developer and to a significant extent and in others EH might not be involved in negotiation at all. Clearer guidelines for the role of EH in negotiation particularly might help.

The larger authorities with more key players involved obviously have more complex organisational issues. Internal democracy with clear reporting lines and clear roles and responsibilities are essential for design advice to be given a fair hearing. The development team approach at Dorchester appeared to help communication between key players, and is likely to have contributed to their Beacon status for quality in the built environment.

The situation where a local authority, or two tier authority, for an area may be both planning authority and developer or landlord is another organisational issue that appeared to result in problems, especially in the Ludlow library case. Article 6 of the Human Rights Act 1998 (the right to a fair hearing with impartiality) may have a significant bearing on this issue in the future. To date relevant case law is limited and inconclusive.

Linked to, but a different issue from organisational structure, is that of political influence. The political imperative is frequently economic development at all costs, even if it means compromise on design (this often varies depending on the degree of development pressure rather than the political party in control). Lobbying of politicians by business interests to achieve a particular aim, often linked to

economics, such as the new car park evident in the Prince Bishop scheme in Durham, is one aspect of this and is a very difficult problem to address. CABE's efforts to demonstrate the importance of good design for the economy may have an influence on economy minded politicians in time but there seems some way to go. Perhaps the best that can be done under the current system (besides the widely acknowledged need for design training for politicians) is a more explicit reporting by politicians of the relative importance of the various issues with direct reference to policy (in addition to the officers report). A statement in the Local Development Framework (LDF) regarding weighting of various policies in different circumstances may assist with this issue but may be seen as too constraining by politicians.

Another significant influence on the planning decision can be grant funding. Although it may enable more to be spent on achieving high quality the time constraints (and other conditions, such as the uses to be accommodated), under which funding operates can conspire to reduce opportunities for design negotiation and so be counterproductive. An element of this seemed apparent with the Chichester gallery case and the Ludlow library case. There needs to be deadlines for funding but greater flexibility might help together with clearer links with the planning process including use of common conditions on design, and a greater emphasis on quality of outcome.

The current opportunities presented by the new planning system under the Planning and Compensation Act 2004 need to be grasped in relation to urban design to create a more comprehensive and logical guidance system. The LDF could set out the hierarchy of design guidance available for the local area and CABE (2005) describes ways in which the LDF might do this. Local Development Document(s) on design, embracing existing tools such as character appraisals, town design statements and planning briefs should be produced. Design and access statements to be submitted with planning applications, following the 2004 Act, might also provide an opportunity for planners to demonstrate their positive role.

Urban coding may help with some larger and complex schemes but not if it circumvents the democratic process or introduces too much rigidity. The results of the ongoing pilot studies on coding will be useful in this respect. PPS 1 is more of a missed opportunity as it fails to support a strong stance on

design with some weaker wording compared to its predecessor PPG1. The forthcoming PPS 15 (to replace PPG 15 and 16) will be significant too especially given that PPG 15 was the most frequently used guidance in the case studies.

Finally it seems clear that there is no single solution to improving quality of outcomes in planning and that local planning authorities vary considerably. The issue must be tackled at many levels including skills, guidance (better organised and more focus on the analytical appraisal type) and organisational structures ensuring high-level support and political transparency.

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